

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAMIE ABBAS,

Plaintiff,

-against-

CORECTION OFFICER TATE,

Defendant.

20-CV-3636 (JGK)

ORDER OF SERVICE

JOHN G. KOELTL, United States District Judge:

Plaintiff, currently incarcerated in Mid-State Correctional Facility, brings this *pro se* action under 42 U.S.C. § 1983, alleging that Correction Officer Tate used excessive force against him while he was confined in the Robert N. Davoren Center (RNDC) on Rikers Island. By order dated June 5, 2020, the Court granted Plaintiff's request to proceed without prepayment of fees, that is, *in forma pauperis* (IFP).¹

DISCUSSION

A. Service on Defendant

The Clerk of Court is directed to notify the New York City Department of Correction and the New York City Law Department of this order. The Court requests that Defendant Correction Officer Tate, who was assigned to RNDC on June 20, 2017, at about 8 p.m., waive service of summons.

B. Local Civil Rule 33.2

Local Civil Rule 33.2, which requires defendants in certain types of prisoner cases to respond to specific, court-ordered discovery requests, applies to this action. Those discovery

¹ Prisoners are not exempt from paying the full filing fee, even when they have been granted permission to proceed IFP. *See* 28 U.S.C. § 1915(b)(1).

requests are available on the Court's website under "Forms" and are titled ["Plaintiff's Local Civil Rule 33.2 Interrogatories and Requests for Production of Documents."](#) Within 120 days of the date of this order, Correction Officer Tate must serve responses to these standard discovery requests. In his responses, Tate must quote each request verbatim.²

CONCLUSION

The Clerk of Court is directed to mail a copy of this order to Plaintiff, together with an information package.

The Clerk of Court is further directed to electronically notify the New York City Department of Correction and the New York City Law Department of this order. The Court requests that Correction Officer Tate waive service of summons.

Local Civil Rule 33.2 applies to this action. Within 120 days of the date of this order, Tate must serve responses to these standard discovery requests. In his responses, Tate must quote each request verbatim.

SO ORDERED.

Dated: June 9, 2020
New York, New York

/s/ John G. Koeltl

JOHN G. KOELTL
United States District Judge

² If Plaintiff would like copies of these discovery requests before receiving the responses and does not have access to the website, Plaintiff may request them from the Court's Pro Se Intake Unit.